

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chair Jeff Essmann, on January 31, 2017 at 8:02 AM, in Room 152
Capitol

ROLL CALL

Members Present:

Rep. Jeff Essmann, Chair (R)
Rep. Kelly Flynn, Vice Chair (R)
Rep. Tom Jacobson, Vice Chair (D)
Rep. Kim Abbott (D)
Rep. Becky Beard (R)
Rep. Mary Ann Dunwell (D)
Rep. Wylie Galt (R)
Rep. Jim Hamilton (D)
Rep. Greg Hertz (R)
Rep. Steve Lavin (R)
Rep. James O'Hara (R)
Rep. Alan Redfield (R)
Rep. Bridget Smith (D)
Rep. Kerry White (R)

Members Excused:

Rep. Z. Brown
Rep. Ehli
Rep. Fern
Rep. A. Hertz
Rep. Kipp III
Rep. Welch

Members Absent: None

Staff Present: Margot Miltenberger, Committee Secretary
Megan Moore, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 310, 1/27/2017
Presentation by the Montana Department of Revenue
Executive Action: HJ 4; HB 224; HB 215

Committee Business:

00:01:22 Rep. Z. Brown and Rep. A. Hertz joined the meeting

00:01:29 Megan Moore, Legislative Services Division (LSD)

EXHIBIT(tah22a01)

00:02:14 Dan Dodds, Department of Revenue (DOR)

00:04:40 Rep. White

00:04:58 Dan Dodds, DOR

HEARING ON HB 310**Opening Statement by Sponsor:**

00:05:27 Rep. Barry Usher (R), HD 40, opened the hearing on HB 310, Exempt social security income for individuals age 62 or older.

Proponents:

00:10:06 Dave Wood, Self

Opponents:

00:12:06 Gene Walborn, Department of Revenue (DOR)

00:13:33 Heather O'Loughlin, Montana Budget and Policy Center

00:14:29 Bob Story, Montana Taxpayers Association

EXHIBIT(tah22a02)

Informational Witnesses: None

Questions from Committee Members and Responses:

00:18:21 Rep. Hamilton

00:18:50 Dan Dodds, Department of Revenue (DOR)

EXHIBIT(tah22a03)

00:19:44 Dan Dodds, DOR

00:21:23 Rep. White

00:22:09 Bob Story, Montana Taxpayers Association

00:23:05 Rep. Dunwell

00:23:57 Rep. Usher

00:26:16 Rep. Kipp III joined the meeting

00:26:20 Rep. Dunwell

00:26:43 Chair Essmann

00:27:03 Rep. Dunwell

00:27:16 Rep. Hamilton

00:27:45 Rep. Usher

00:28:24 Rep. Hamilton

00:28:54 Chair Essmann

00:29:33 Dan Dodds, DOR

Closing by Sponsor:

00:29:52 Rep. Usher

Presentation by the Department of Revenue:

00:33:03 Ed Caplis, Department of Revenue (DOR)

[EXHIBIT\(tah22a04\)](#)[EXHIBIT\(tah22a05\)](#)**Questions from the Committee:**

00:43:02 Chair Essmann

00:43:14 Rep. Fern joined the meeting

00:43:37 Ed Caplis, DOR

00:44:11 Chair Essmann

00:44:45 Ed Caplis, DOR

00:45:33 Rep. Welch joined the meeting

00:46:11 Chair Essmann

00:46:26 Ed Caplis, DOR

00:47:30 Rep. Hamilton

00:48:15 Ed Caplis, DOR

00:48:39 Rep. White

00:51:05 Ed Caplis, DOR

00:51:09 Rep. Beard

00:51:32 Ed Caplis, DOR

00:53:18 Recessed

01:12:38 Reconvened

EXECUTIVE ACTION ON HJ 401:12:55 **Motion:** Rep. Fern moved that **HJ 4 DO PASS.****Discussion:**

01:13:08 Megan Moore, Legislative Services Division (LSD)

01:13:25 **Motion:** Rep. White moved that **HJ 4 BE AMENDED.**[EXHIBIT\(tah22a06\)](#)**Discussion:**

01:13:50 Rep. Fern

01:14:10 Rep. White

01:15:50 Rep. Redfield

01:16:05 **Vote:** Motion carried 19-1 by voice vote with Rep. Dunwell voting no. Rep. Ehli voted by proxy.01:16:40 **Motion:** Rep. Fern moved that **HJ 4 DO PASS AS AMENDED.****Discussion:**

01:16:51 Rep. White

01:17:18 Chair Essmann

01:18:00 Rep. Flynn

01:18:32 Rep. Fern

01:19:34 Rep. Dunwell

01:20:13 **Vote:** Motion carried 19-1 by voice vote with Rep. Dunwell voting no. Rep. Ehli voted by proxy.

EXECUTIVE ACTION ON HB 224

01:20:51 **Motion:** Rep. Jacobson moved that **HB 224 DO PASS.**

01:21:17 **Motion:** Rep. Jacobson moved that **HB 224 BE AMENDED.**
[tah22a077](#)

Discussion:

01:21:34 Rep. Jacobson
01:23:44 Rep. White
01:24:18 Rep. Jacobson
01:26:18 Rep. White
01:27:18 Rep. Abbott

01:27:58 **Vote:** Motion carried 13-7 by roll call vote with Rep. Beard, Rep. Ehli, Rep. Essmann, Rep. Flynn, Rep. A. Hertz, Rep. O'Hara and Rep. White voting no. Rep. Ehli voted by proxy.

01:29:39 **Motion:** Rep. Jacobson moved that **HB 224 DO PASS AS AMENDED.**

Discussion:

01:30:07 Chair Essmann
01:31:41 Rep. Jacobson
01:34:45 Rep. Hamilton
01:35:40 Rep. Fern
01:36:10 Rep. G. Hertz
01:36:42 Chair Essmann

01:36:52 **Vote:** Motion failed 8-12 by roll call vote with Rep. Abbott, Rep. Z. Brown, Rep. Dunwell, Rep. Fern, Rep. Jacobson, Rep. Hamilton, Rep. Kipp and Rep. B. Smith voting aye. Rep. Ehli voted by proxy.

01:38:23 **Motion:** Rep. Flynn moved that **HB 224 BE TABLED AND THE VOTE REVERSED.** Motion carried.

EXECUTIVE ACTION ON HB 215

01:39:11 Megan Moore, Legislative Services Division (LSD)

01:39:26 **Motion/Vote:** Rep. Essmann moved to **RECONSIDER THE MOTION** on **HB 215.** Motion carried 14-5 by roll call vote with Rep. Beard, Rep. Galt, Rep. G. Hertz, Rep. Lavin and Rep. White voting no.

01:41:04 **Motion:** Rep. Dunwell moved that **HB 215 DO PASS.**

Discussion:

01:41:23 Rep. Dunwell

01:43:45 **Motion:** Rep. Jacobson moved that **HB 215 BE AMENDED.**
EXHIBIT(tah22a08)

Discussion:

01:45:24 Megan Moore, LSD

01:46:14 Rep. White

01:46:48 Rep. Abbott

01:47:31 Rep. Flynn

01:48:34 Chair Essmann

01:50:54 Rep. Dunwell

01:52:42 Rep. Hamilton

01:54:24 Rep. Beard

01:55:00 **Vote:** Motion failed 7-13 by roll call vote with Rep. Abbott, Rep. Z. Brown, Rep. Dunwell, Rep. Fern, Rep. Hamilton, Rep. Jacobson and Rep. Kipp voting aye. Rep. Ehli voted by proxy.

Discussion:

01:56:47 Rep. Redfield

01:57:20 **Vote:** Motion failed 7-13 by roll call vote with Rep. Abbott, Rep. Z. Brown, Rep. Dunwell, Rep. Fern, Rep. Hamilton, Rep. Jacobson and Rep. Kipp voting aye. Rep. Ehli voted by proxy.

Discussion:

01:58:36 Rep. Jacobson

01:58:58 **Motion:** Rep. Flynn moved that **HB 215 BE TABLED AND THE VOTE REVERSED.** Motion carried.

ADJOURNMENT

Adjournment: 02:00:53

Margot Miltenberger, Secretary

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Additional Documents:

EXHIBIT([tah22aad.pdf](#))